

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HOWARD GORELL

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CIVIL ACTION NO. 3:07-2247

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)

MEMORANDUM ORDER

Presently before the Court are Magistrate Judge Malachy E. Mannion's Report and Recommendation (Doc. 5) and Plaintiff Howard Gorrell's Objections thereto (Doc. 6). The Magistrate Judge recommended granting Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) but noted that the Plaintiff resided in Mount Airy, Maryland and thus recommended that the action be transferred to the United States District Court for the District of Maryland. Plaintiff filed an objection stating that he "does not mean to object to this recommendation," except to state that he "has no official residence." Plaintiff stated in his January 22, 2008 Objection that he was living temporarily in a group home in Mount Airy, Maryland, but would be required to vacate that home by February 29, 2008. Plaintiff has since submitted notice of a change of address, indicating that his new physical address, and official mailing address, is now:

6425 Fairfield Road
Fairfield, PA 17320.

(Notice of Change of Address, April 10, 2008, Doc. 8; see *also* Notice of Change of Address, February 7, 2008, Doc. 7.)

Because Fairfield, Pennsylvania, located in Adams County, is within the Middle District of Pennsylvania, it is no longer necessary to transfer this action to the United States District Court for the District of Maryland.

For the reasons set forth above, **NOW**, this 25th day of April 2008, **IT IS HEREBY ORDERED THAT** Magistrate Judge Mannion's Report and Recommendation (Doc. 5) is hereby **ADOPTED** in part and **REJECTED** in part, as follows:

- (1) Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.
- (2) This action is **RECOMMITTED** to Magistrate Judge Mannion for further proceedings consistent with this Memorandum Order.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge